
POLICY

It is the policy of the Michigan Department of Human Services (DHS) Bureau of Juvenile Justice (BJJ) that victims who have requested notification of youths' activities will receive actual notice of those activities.

PURPOSE

This policy ensures that facilities fulfill their responsibility under the Crime Victim's Rights Act.

DEFINITIONS

See [JRG, JJ Residential Glossary](#).

**RESPONSIBLE
STAFF**

Designated in the facility standard operating procedure.

PROCEDURE

Each facility is required to develop and implement standard operating procedures (SOPs) relative to victim notification. At a minimum, these SOPs must contain the following requirements:

**Identifying Files
and
Documentation**

When the court or the victim requests notice:

- Enter the notification request in the youth's case file.
- Clearly identify the file as containing a victim notification request.

The facility maintains a log of phone calls and written correspondence made pursuant to the victim notification procedures. The log contains:

- The date.
- The time.
- The name of the person contacted.

**Situations
Requiring
Notification**

The facility notifies victims requesting notification of all the listed events.

Overnight Visits

At least two weeks prior to any overnight visit, written notification of the visit is sent to all of the following:

- The victim.
- The judge of the committing court.
- The JJS, CMO worker or probation officer.

The notice includes:

- The youth's name.
- Identifying case numbers.
- Date(s) of the anticipated visit.
- Location of the visit.
- Reason for the visit.
- Contact telephone number for the court to call with any questions.

Facilities regularly using multiple overnight visits as a part of a standard treatment modality may establish a home visit plan and prior to the first visit notify all of the following:

- The victim.
- The court.
- The JJS, CMO worker or probation officer.

Discharge, Transfer Or Change Of Plan Hearing:

The facility/center director or designee notifies the victim by first class mail at the time that a petition for discharge or change of plan is filed with the court.

A copy of the notification is retained in the youth's file and copies sent to the:

- JJS, CMO worker, or probation officer.
- The applicable court.
- If a hearing is required, the court notifies the victim of the date and time of the hearing.

The facility/center director or designee notifies the victim by first class mail of any decision to release, discharge or transfer a youth to another facility.

- When possible, such notification occurs prior to the release, discharge or transfer of the youth.
- The facility/center director or designee provides a copy of the notice of the victim and notification to the JJS preparing the petition for the change of plan hearing or petition for approval to discharge.

Dismissal

The facility/center director or designee ensures the victim is notified if the youth is dismissed from court jurisdiction.

Name Change

The facility/center director or designee notifies the victim if the youth has his/her name legally changed while in the facility.

Escape

In the event of an escape from campus, an off campus activity, or home visit, BJJ staff immediately attempt to notify by telephone those victims who requested notice.

If the escape occurs during an off campus activity, staff involved must immediately report the escape to the facility office.

Facility personnel receiving a report of an escape immediately attempt to contact by phone those victims who requested notification pursuant to law.

- Failing to make telephone contact, facility staff continue to make phone attempts until the JJS is notified or until it can be assured that a notification letter sent by the facility to the victim has been received.
- A victim notification letter is completed immediately by facility staff, regardless of whether telephone contact is made with the victim. A copy of the letter is sent to all of the following:
 - The victim.
 - The JJS, CMO worker or probation officer.
 - The court of jurisdiction.

- The youth's file.
- The facility/center director or designee contacts the JJS or supervisor by phone as soon as possible but no later than the next working day with information regarding the escape and whether or not contact was made with victims requiring notice.
 - A message is left with an identified staff person in the county office for the JJS or supervisor.
 - A message left on voice mail or other mechanical means does not count as notification.

Threats to Victim

If the facility/center director or designee believes the safety of the victim is threatened as a result of the escape and telephone contact cannot be made, immediate contact is made with the JJS, JJS supervisor or on-call local office staff to request that written notice be delivered immediately to the last known address of the victim ([JJM 260](#)).

The facility/center director or designee ensures notification to all of the following:

- The county sheriff's department or local police in the county of the victim's residence to inform of the potential danger to the victim.
- The committing court.
- All victims as soon as possible.

Additional Responsibilities of Detention Facilities

Telephone Requests for Information

Victims may call detention facilities to determine the incarceration status of the purported offender.

- Facilities use reasonable efforts, as defined by the facility/center director or designee, to determine whether the calling party is the victim.
- Each victim request for incarceration status and the reasonable efforts used to identify the victim are documented.

Release from Detention

When there is a written or verbal request from the law enforcement agency that investigated the crime that led to the youth's placement in detention, the facility/center director or designee notifies the law enforcement agency when the youth is released from detention.

Escape from Detention

The facility/center director or designee immediately notifies the victim if a youth escapes and a written request for notification has been received.

AUTHORITY

Crime Victim's Rights Act, MCL 780.751 et seq.